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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,781	04/20/2007	Heino Hameleers	P17248-US1	6589
27045	7590	12/07/2009	EXAMINER	
ERICSSON INC. 6300 LEGACY DRIVE M/S EVR 1-C-11 PLANO, TX 75024			BEHARRY, NOEL R	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/595,781	<b>Applicant(s)</b> HAMELEERS ET AL.	
	<b>Examiner</b> NOEL BEHARRY	<b>Art Unit</b> 2446	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 August 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 19,21-23 and 25-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 19,21-23 and 25-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This communication is in response to applicant's response filed under 37 C.F.R. §1.111 in response to a non-final office action. Claims 19, 21, 23, and 25-27 have been amended and claim 28 has been added. Claims 19, 21-23, and 25-28 are subject to examination.

2. Acknowledgment is made to applicant's response in regards to the previous objection to the specification and 35 U.S.C 112 rejections of claims 19, 23, and 27 to obviate previous objection to the specification. Previously raised objection to the specification and 35 U.S.C. 112 rejections are hereby withdrawn.

### ***Claim Objections***

3. Claims 19 and 23 objected to because of the following informalities: Claims 19 and 23 recites "a method, in telecommunications network, of providing multimedia information associated with a called party terminal a calling a calling party terminal" but examiner believes a "to" is missing between "a called party terminal" and "a calling a calling party terminal". Appropriate correction is required.

### ***Response to Arguments***

4. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 19, 21, 23, 25, 27 and 28** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Choe et al. (Choe hereafter)** (US 2004/0114732 A1) in view of **Heinonen et al. (Heinonen hereafter)** (US 6,671,370).

**Regarding claim 19, Choe teaches,**

a method, in a telecommunications network, of providing multimedia information **(personalized ring back tone, Par. 0028 & 0035)** associated with a called party terminal **(called party)** a calling party terminal **(calling party)**, the method, performed by a core network node **(Internet Data Center (IDC))**, comprising the steps of: **(Par. 0028)**

retrieving subscriber data of the called party **(Par. 0028 & 202-203 of Fig .2)**, wherein the subscriber data comprises a demand for presenting the multimedia information **(system determines whether the called party is a service subscriber); (Par. 0028)**

receiving in the core network node a call set up message comprising an identification of the called **(if the called party is a subscriber, the PRBT system accesses to the Internet Data Center (IDC) located at the message settings based**

**on the subscriber's account information stored in the MCP server), (Par. 0029)**

recognizing according to the subscriber data and the received identification of the called party the demand for providing the multimedia information **(if the called party is a subscriber, the PRBT system accesses to the Internet Data Center (IDC) located at the message settings based on the subscriber's account information stored in the MCP server), (Par. 0029)**

*Although Choe teaches the internet data center 34 connected to the participating telephone service provider 30 that retrieves the ring back messages from the MCP server, when a called party 20 is the service subscriber, and delivers the personalized ring back message to a calling party 10, while the calling party 10 waits for connection to the called party 20, as a ring back tone (Par. 0026)*

**Choe** fails to explicitly teach,  
sending a network address or Universal Resource Locator (URL) to the calling party terminal for retrieving the multimedia information.

However, **Heinonen** teaches,  
sending a network address or Universal Resource Locator (URL) to the calling party terminal for retrieving the multimedia information. **(In a cellular system, the search path to the data file is transmitted in the setup message, and the calling handset uses the same protocol; for example, WAP, to retrieve the data file from the network server of the telephone system, Col 4, Lines 8-18)**

It would have been obvious to one of ordinary skilled in the art at the time of the

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invention to create the invention of **Choe** to include the above recited limitations as taught by **Heinonen** in order to enable a caller to indicate the origin of a call by way of a ringing indication that is selected by the caller (**Col 4, Lines 26-34**).

**Regarding claim 21, Choe – Heinonen** teaches,

wherein the subscriber data is related to an IN subscription of the called party (**intelligent network**). (**Choe; Par. 0030**)

**Regarding claim 23, Choe** teaches,

a core network node (CNN) (**Internet Data Center (IDC)**) in a telecommunications network for providing multimedia information (**personalized ring back tone**) associated with a called party terminal (**called party**) a calling party terminal (**calling party**), the core network node (CNN) comprising (**Par. 0028**)

means for (**the PRBT system accesses to the Internet Data Center, Par. 0028**) providing access to subscriber data of a called party (**Par. 0028 & 202-203 of Fig .2**), the subscriber data comprising an indication for a demand for presenting the multimedia information (**system determines whether the called party is a service subscriber**), (**Par. 0028**)

an interface for sending messages (**MCP**), (**Par. 0024 & Par. 0029**)

an interface for receiving messages (**MCP**), (**Par. 0024 & Par. 0029**) and

a processing system for processing said messages (**PRBT system**), the processing system being adapted to: (**Par. 0028**)

process a received call set up message comprising an identification of the called party **(if the called party is a subscriber, the PRBT system accesses to the Internet Data Center (IDC) located at the message settings based on the subscriber's account information stored in the MCP server), (Par. 0029)**

recognize according to received identification of the called party, the demand for providing the multimedia information **(if the called party is a subscriber, the PRBT system accesses to the Internet Data Center (IDC) located at the message settings based on the subscriber's account information stored in the MCP server), (Par. 0029)**

*Although Choe teaches the internet data center 34 connected to the participating telephone service provider 30 that retrieves the ring back messages from the MCP server, when a called party 20 is the service subscriber, and delivers the personalized ring back message to a calling party 10, while the calling party 10 waits for connection to the called party 20, as a ring back tone (Par. 0026)*

**Choe** fails to explicitly teach,  
send, to the calling party terminal, a network address or Universal Resource Locator (URL) for retrieving the multimedia information.

However, **Heinonen** teaches,  
send, to the calling party terminal, a network address or Universal Resource Locator (URL) for retrieving the multimedia information. **(In a cellular system, the search path to the data file is transmitted in the setup message, and the calling**

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**handset uses the same protocol; for example, WAP, to retrieve the data file from the network server of the telephone system, Col 4, Lines 8-18)**

It would have been obvious to one of ordinary skilled in the art at the time of the invention to create the invention of **Choe** to include the above recited limitations as taught by **Heinonen** in order to enable a caller to indicate the origin of a call by way of a ringing indication that is selected by the caller **(Col 4, Lines 26-34)**.

**Regarding claim 25, Choe – Heinonen** teaches,

wherein the subscriber data is related to an IN subscription of the called party **(intelligent network)**. **(Choe; Par. 0030)**

**Regarding claim 27, Choe** teaches,

a method, in a core network node of a telecommunications network, for providing multimedia information **(personalized ring back tone, Par. 0028 & 0035)** associated with a called party terminal **(called party)** to a calling party terminal **(calling party)**, the method comprising the steps of: **(Par. 0028)**

retrieving subscriber data of the called party **(Par. 0028 & 202-203 of Fig .2)**, wherein the subscriber data comprises a demand for presenting the multimedia information **(system determines whether the called party is a service subscriber)**; **(Par. 0028)**

receiving in the core network node a call set up message comprising an identification of the called **(if the called party is a subscriber, the PRBT system**



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**accesses to the Internet Data Center (IDC) located at the message settings based on the subscriber's account information stored in the MCP server), (Par. 0029)**

recognizing according to the subscriber data and the received identification of the called party the demand for providing the multimedia information **(if the called party is a subscriber, the PRBT system accesses to the Internet Data Center (IDC) located at the message settings based on the subscriber's account information stored in the MCP server), (Par. 0029)**

*Although Choe teaches the internet data center 34 connected to the participating telephone service provider 30 that retrieves the ring back messages from the MCP server, when a called party 20 is the service subscriber, and delivers the personalized ring back message to a calling party 10, while the calling party 10 waits for connection to the called party 20, as a ring back tone (Par. 0026)*

**Choe** fails to explicitly teach,  
sending a network address or Universal Resource Locator (URL) to the calling party terminal for retrieving the multimedia information.

However, **Heinonen** teaches,  
sending a network address or Universal Resource Locator (URL) to the calling party terminal for retrieving the multimedia information. **(In a cellular system, the search path to the data file is transmitted in the setup message, and the calling handset uses the same protocol; for example, WAP, to retrieve the data file from the network server of the telephone system, Col 4, Lines 8-18)**

It would have been obvious to one of ordinary skilled in the art at the time of the invention to create the invention of **Choe** to include the above recited limitations as taught by **Heinonen** in order to enable a caller to indicate the origin of a call by way of a ringing indication that is selected by the caller (**Col 4, Lines 26-34**).

**Regarding claim 28, Choe teaches,**

a method, in a core network node of a telecommunications network, for providing multimedia information (**personalized ring back tone, Par. 0028 & 0035**) associated with a called party terminal (**called party**) to a calling party terminal (**calling party**), the method comprising the steps of: (**Par. 0028**) retrieving subscriber data of the called party (**Par. 0028 & 202-203 of Fig. 2**), wherein the subscriber data comprises a demand for presenting the multimedia information (**system determines whether the called party is a service subscriber**); (**Par. 0028**)

receiving in the core network node a call set up message comprising an identification of the called (**if the called party is a subscriber, the PRBT system accesses to the Internet Data Center (IDC) located at the message settings based on the subscriber's account information stored in the MCP server**), (**Par. 0029**)

recognizing according to the subscriber data and the received identification of the called party the demand for providing the multimedia information (**if the called party is a subscriber, the PRBT system accesses to the Internet Data Center (IDC) located at the message settings based on the subscriber's account information stored in the MCP server**), (**Par. 0029**)

***Although Choe teaches the internet data center 34 connected to the participating telephone service provider 30 that retrieves the ring back messages from the MCP server, when a called party 20 is the service subscriber, and delivers the personalized ring back message to a calling party 10, while the calling party 10 waits for connection to the called party 20, as a ring back tone (Par. 0026)***

**Choe** fails to explicitly teach,

if the called party terminal is not able to send the multimedia information, sending a network address or Universal Resource Locator (URL) to the calling party terminal for retrieving the multimedia information.

However, **Heinonen** teaches,

if the called party terminal is not able to send the multimedia information, sending a network address or Universal Resource Locator (URL) to the calling party terminal for retrieving the multimedia information. **(In a cellular system, the search path to the data file is transmitted in the setup message, and the calling handset uses the same protocol; for example, WAP, to retrieve the data file from the network server of the telephone system, Col 4, Lines 8-18)**

It would have been obvious to one of ordinary skilled in the art at the time of the invention to create the invention of **Choe** to include the above recited limitations as taught by **Heinonen** in order to enable a caller to indicate the origin of a call by way of a ringing indication that is selected by the caller **(Col 4, Lines 26-34)**.

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7. **Claims 22 and 26** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Choe - Heinonen** in view of **Nguyen** et al. (US 2004/0120477 A1).

**Regarding claim 22, Choe - Heinonen** teaches,

wherein the call set up message is appropriate for setting up a circuit switched call (**Choe; Par. 0028**)

**Choe - Heinonen** fails to explicitly teach,

the multimedia information is provided using a packet switched connection.

However, **Nguyen** teaches,

the multimedia information (**communication requests**) is provided using a packet switched connection (**STP 108 in Fig. 1**). (**Par. 0022**)

It would have been obvious to one of ordinary skill in the art at the time of the invention to create the invention of **Choe - Heinonen** to include a packet switched connection as taught by **Nguyen** in order to route communication requests between the various elements (**Nguyen; Par. 0022**).

**Regarding claim 26, Choe** teaches,

wherein the call set up message is appropriate for setting up a circuit switched call (**Choe; Par. 0028**)

**Choe - Heinonen** fails to explicitly teach,

the processing system is adapted to providing multimedia information using a packet switched connection.

However, **Nguyen** teaches,  
the processing system is adapted to providing multimedia information  
(**communication requests**) using a packet switched connection (**STP 108 in Fig. 1**).  
(**Par. 0022**)

It would have been obvious to one of ordinary skill in the art at the time of the invention to create the invention of **Choe - Heinonen** to include a packet switched connection as taught by **Nguyen** in order to route communication requests between the various elements (**Nguyen; Par. 0022**).

### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to NOEL BEHARRY whose telephone number is (571)270-5630. The examiner can normally be reached on M-TH 10-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Pwu can be reached on (571) 272-6798. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/N. B./  
Examiner, Art Unit 2446

/Benjamin R Bruckart/  
Primary Examiner, Art Unit 2446